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February 26, 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application No. 10/723,435 filed November 26, 2003
First Named Inventor: Weihong Xiong, et al.
Title: **Transdermal Administration of Huperzine**
Group Art Unit: 1611
Attorney Docket No.: 01121-T8341.NP.CON

Sir/Madam:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.56 and 1.97 is an Information Disclosure Statement. Enclosed also are the following designated documents, as required under 37 C.F.R. § 1.97 and 1.98:

- ☒ Form **PTO/SB/08B** list of 1 references submitted for consideration.
- ☒ Legible copies of the listed non-patent documents, unpublished U.S. applications and foreign documents or their relevant portions are included.
- ☐ All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- ☐ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.

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- ☐ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- ☐ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in prior application no. _____, filed on _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

- ☐ Statement under 37 C.F.R. § 1.97(e)(1) or (2).
- ☐ Check No. _____, which includes the amount of \$_____ (amount in § 1.17(p)) constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Statement meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 20-0100 of the undersigned.



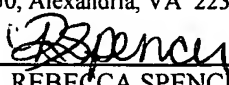
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DWO/PSS/rs



THE UNITED STATES PATENT & TRADEMARK OFFICE

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|---|--|
| ART UNIT: 1611 | <u>CERTIFICATE OF MAILING</u> <u>UNDER 37 C.F.R. § 1.8</u> |
| EXAMINER: Isis Ghali | DATE OF DEPOSIT: <u>February 29, 2008</u> |
| FIRST NAMED INVENTOR: Weihong Xiong, et al. | I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |
| SERIAL NO.: 10/723,435 |  REBECCA SPENCER |
| FILED: November 26, 2003 | |
| CONFRM. NO.: 6215 | |
| FOR: TRANSDERMAL ADMINISTRATION OF HUPERZINE | |
| DOCKET NO.: 01121-T8341.NP.CON | |

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form **PTO/SB/08B** which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure statement is filed pursuant to:

☒ 37 C.F.R. § 1.97(b)(1) or (3), within three months of the filing date of the application, or before a first office action on the merits, whichever occurs last;

☐ 37 C.F.R. § 1.97(c), after a first office action on the merits, but before a Final Office Action or a Notice of Allowance, whichever occurs first, and is accompanied by either 1) a statement in accordance with 37 C.F.R. § 1.97(e), or 2) the fee set forth in 37 C.F.R. § 1.17(p); or

☐ 37 C.F.R. § 1.97(d), after a Final Office Action or Notice of Allowance, whichever occurs first, but on or before payment of the issue fee, and is accompanied by both 1) a statement in accordance with 37 C.F.R. § 1.97(e), and 2) the fee set forth in 37 C.F.R. § 1.17(p).

While no representation is made that any of these references may be “prior art” within the meaning of that term in accordance with 37 C.F.R. §§ 102 or 103, the enclosed list of references is disclosed so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

☒ A legible copy of each of the listed non-patent literature, unpublished U.S. applications, and foreign documents or their relevant portions is enclosed.

☐ Copies of the references listed in the accompanying Form PTO/SB/08A and PTO/SB/08B are NOT enclosed because, under 37 C.F.R. § 1.98.(d), they were previously cited by or submitted to the Office in application number _____, which is relied upon for an earlier filing date under 37 C.F.R. § 1.20.

For all listed references that are not either in the English language, or accompanied by a translation into English, a concise explanation of relevance as required under 37 C.F.R. § 1.98(a)(3) is enclosed attached to each.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.

Dated February 26, 2008.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "P. Scott Smith".

P. Scott Smith
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Registration No. 55,633

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Enclosures